

**IN THE PULASKI CIRCUIT AND SUPERIOR COURT  
STATE OF INDIANA**

**IN RE: LOCAL RULE AMENDMENT**

**NOTICE OF PROPOSED LOCAL COURT RULE AMENDMENT  
CONCERNING COURT REPORTER SERVICES**

The Judges of the Circuit and Superior Court of Pulaski County give notice pursuant to Trial Rule 81 and Administrative Rule 15 of a proposal to amend the local court rule on court reporter services at LR66-AR-15-1. New language is indicated by underlining and deleted language is indicated by ~~striking through~~. This proposed amendment will be open for comment until **July 15, 2010**. It is subject to Supreme Court approval, and if approved, it will be effective on **January 1, 2011**.

The Court finds pursuant to Trial Rule 81(D) that good cause exists to deviate from the schedule established by the Division of State Court Administration for the adoption or amendment of local court rules.

The Clerk of the Pulaski Circuit and Superior Court is advised to post this proposed rule amendment in her office and on the Clerk's website. Notice will also be provided to the officers of the Pulaski County Bar Association and posted on the Indiana Judicial Website.

Comments concerning the proposed amendment to LR66-AR-15-1 may be directed to the Honorable Michael A. Shurn, Judge, Pulaski Circuit Court, at 112 East Main Street, #310, Winamac, IN 46996-1208.

ORDERED THIS 14<sup>TH</sup> DAY OF JUNE, 2010.

\_\_\_\_\_/S/\_\_\_\_\_  
MICHAEL A. SHURN, JUDGE  
PULASKI CIRCUIT COURT

\_\_\_\_\_/S/\_\_\_\_\_  
PATRICK B. BLANKENSHIP, JUDGE  
PULASKI SUPERIOR COURT

## **Court Reporter Rule**

### **LR66-AR 15-1**

**Section One. Definitions.** The following definitions shall apply under this local rule:

- (1) A *Court Reporter* is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
- (2) *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
- (3) *Work space* means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) *Recording* means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
- (8) *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.
- (9) *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same day throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) *Court* means the particular court for which the court reporter performs services. Court may also mean all of the courts in Pulaski County.
- (11) *County indigent transcript* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (12) *State indigent transcript* means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (13) *Private transcript* means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

### **Section Two. Salaries and Per Page Fees.**

- (1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters that outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.

- (2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be ~~\$3.50~~ **\$4.00**; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be ~~\$3.50~~ **\$4.00**.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be ~~\$3.50~~ **\$4.00**.
- (5) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of ~~either~~ county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

### **Section Three. Private Practice.**

- (1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
  - (a) The reasonable market rate for the use of equipment, work space and supplies;
  - (b) The method by which records are to be kept for the use of equipment, work space and supplies; and
  - (c) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.
- (2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.